

THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 9973 OF 2000

Dated 19th June, 2007

Between:

Mada Venkaiah

...Petitioner

And

The Government of Andhra Pradesh,
represented by Revenue Secretary,
Secretariat Building, Hyderabad and others.

...Respondents.

ORAL ORDER:

In this writ petition, the petitioner has questioned notice in RCB 405/2000, dated 31.5.2000 issued by the Mandal Revenue Officer, Monubolu, Nellore, District, second respondent herein.

The petitioner was assigned an extent of Ac.4.85 cents of land in Survey No.430 of Kannetamma tank by issuing D-Form patta. It is stated that the assignment was made on 10.2.1980. The impugned notice was issued calling for explanation from the petitioner as to why the D-Form patta granted to him should not be cancelled in view of the orders passed by the Government in G.O.Ms.No.865/M1/83-3, Revenue (M) Department, dated 19.8.1983.

It is the case of the petitioner that the said G.O. cannot be made applicable to the case of the petitioner.

At the stage of admission of the writ petition, this court permitted the respondents to pass appropriate orders by considering the objections of the petitioners.

It is submitted by the learned counsel for parties that it is not known as to whether any final orders are passed or not. No counter affidavit is also filed by the Government.

As much as the impugned notice is in the nature of show cause notice, I dispose of the writ petition permitting the petitioner to file his objections to the notice within a period of 8 weeks from today, if not already filed. After the expiry of eight weeks from today, it is open for the respondents to pass appropriate orders by considering the objections of the petitioner. If objections are not filed within the time as ordered above, it is open for the respondents

to pass appropriate orders. However, the petitioner shall not be dispossessed from the land in question till final orders are passed.

Subject to above direction, the writ petition is disposed of. No costs.

19-6-2007

R.SUBHASH REDDY, J.

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